

1 AN ACT concerning children.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Child Care Act of 1969 is amended by
5 changing Sections 2, 2.05, 2.08, 4, 7, 8, 11, 11.1, and 12 and
6 by adding Sections 2.24, 2.25, 7.4, 7.5, 7.6, 7.7, 7.8, 8.3,
7 8.4, 9.1a, 9.1b, 14.6, and 14.7 as follows:

8 (225 ILCS 10/2) (from Ch. 23, par. 2212)

9 Sec. 2. Terms used in this Act, unless the context
10 otherwise requires, have the meanings ascribed to them in
11 Sections 2.01 through 2.25 ~~2.21~~.

12 (Source: P.A. 86-278; 86-386.)

13 (225 ILCS 10/2.05) (from Ch. 23, par. 2212.05)

14 Sec. 2.05. "Facility for child care" or "child care
15 facility" means any person, group of persons, agency,
16 association, ~~or~~ organization, corporation, institution,
17 center, or group, whether established for gain or otherwise,
18 who or which receives or arranges for care or placement of one
19 or more children, unrelated to the operator of the facility,
20 apart from the parents, with or without the transfer of the
21 right of custody in any facility as defined in this Act,
22 established and maintained for the care of children. "Child
23 care facility" includes a relative who is licensed as a foster
24 family home under Section 4 of this Act.

25 (Source: P.A. 89-21, eff. 7-1-95.)

26 (225 ILCS 10/2.08) (from Ch. 23, par. 2212.08)

27 Sec. 2.08. "Child welfare agency" means a public or private
28 child care facility, receiving any child or children for the
29 purpose of placing or arranging for the placement or free care
30 of the child or children in foster family homes, unlicensed

1 pre-adoptive and adoptive homes, or other facilities for child
2 care, apart from the custody of the child's or children's
3 parents. The term "child welfare agency" includes all agencies
4 established and maintained by a municipality or other political
5 subdivision of the State of Illinois to protect, guard, train
6 or care for children outside their own homes and all agencies,
7 persons, groups of persons, associations, organizations,
8 corporations, institutions, centers, or groups providing
9 adoption services, but does not include any circuit court or
10 duly appointed juvenile probation officer or youth counselor of
11 the court, who receives and places children under an order of
12 the court.

13 (Source: P.A. 76-63.)

14 (225 ILCS 10/2.24 new)

15 Sec. 2.24. "Adoption services" includes any one or more of
16 the following services performed for any type of compensation
17 or thing of value, directly or indirectly: (i) arranging for
18 the placement of or placing out a child, (ii) identifying a
19 child for adoption, (iii) matching adoptive parents with
20 biological parents, (iv) arranging or facilitating an
21 adoption, (v) taking or acknowledging consents or surrenders
22 for termination of parental rights for purposes of adoption, as
23 defined in the Adoption Act, (vi) performing background studies
24 on a child or adoptive parents, (vii) making determinations of
25 the best interests of a child and the appropriateness of
26 adoptive placement for the child, or (viii) post-placement
27 monitoring of a child prior to adoption. "Adoption services"
28 does not include the following: (i) the provision of legal
29 services by a licensed attorney for which the attorney must be
30 licensed as an attorney under Illinois law, (ii)
31 adoption-related services performed by public governmental
32 entities or entities or persons performing investigations by
33 court appointment as described in subsection A of Section 6 of
34 the Adoption Act, (iii) prospective adoptive parents operating
35 on their own behalf, (iv) the provision of general education

1 and training on adoption-related topics, or (v) post-adoption
2 services, including supportive services to families to promote
3 the well-being of members of adoptive families or birth
4 families.

5 (225 ILCS 10/2.25 new)

6 Sec. 2.25. "Unlicensed pre-adoptive and adoptive home"
7 means any home that is not licensed by the Department as a
8 foster family home and that receives a child or children for
9 the purpose of adopting the child or children.

10 (225 ILCS 10/4) (from Ch. 23, par. 2214)

11 Sec. 4. License requirement; application; notice.

12 (a) Any person, group of persons or corporation who or
13 which receives children or arranges for care or placement of
14 one or more children unrelated to the operator must apply for a
15 license to operate one of the types of facilities defined in
16 Sections 2.05 through 2.19 and in Section 2.22 of this Act. Any
17 relative who receives a child or children for placement by the
18 Department on a full-time basis may apply for a license to
19 operate a foster family home as defined in Section 2.17 of this
20 Act.

21 (a-5) Any agency, person, group of persons, association,
22 organization, corporation, institution, center, or group
23 providing adoption services must be licensed by the Department
24 as a child welfare agency as defined in Section 2.08 of this
25 Act. "Providing adoption services" as used in this Act,
26 includes facilitating or engaging in adoption services.

27 (b) Application for a license to operate a child care
28 facility must be made to the Department in the manner and on
29 forms prescribed by it. An application to operate a foster
30 family home shall include, at a minimum: a completed written
31 form; written authorization by the applicant and all adult
32 members of the applicant's household to conduct a criminal
33 background investigation; medical evidence in the form of a
34 medical report, on forms prescribed by the Department, that the

1 applicant and all members of the household are free from
2 communicable diseases or physical and mental conditions that
3 affect their ability to provide care for the child or children;
4 the names and addresses of at least 3 persons not related to
5 the applicant who can attest to the applicant's moral
6 character; and fingerprints submitted by the applicant and all
7 adult members of the applicant's household.

8 (c) The Department shall notify the public when a child
9 care institution, maternity center, or group home licensed by
10 the Department undergoes a change in (i) the range of care or
11 services offered at the facility, (ii) the age or type of
12 children served, or (iii) the area within the facility used by
13 children. The Department shall notify the public of the change
14 in a newspaper of general circulation in the county or
15 municipality in which the applicant's facility is or is
16 proposed to be located.

17 (d) If, upon examination of the facility and investigation
18 of persons responsible for care of children, the Department is
19 satisfied that the facility and responsible persons reasonably
20 meet standards prescribed for the type of facility for which
21 application is made, it shall issue a license in proper form,
22 designating on that license the type of child care facility
23 and, except for a child welfare agency, the number of children
24 to be served at any one time.

25 (e) The Department shall not issue or renew the license of
26 any child welfare agency providing adoption services, unless
27 the agency (i) is officially recognized by the United States
28 Internal Revenue Service as a tax-exempt organization
29 described in Section 501(c)(3) of the Internal Revenue Code of
30 1986 (or any successor provision of federal tax law) and (ii)
31 is in compliance with all of the standards necessary to
32 maintain its status as an organization described in Section
33 501(c)(3) of the Internal Revenue Code of 1986 (or any
34 successor provision of federal tax law). The Department shall
35 grant a grace period of 24 months from the effective date of
36 this amendatory Act of the 94th General Assembly for existing

1 child welfare agencies providing adoption services to obtain
2 501(c)(3) status. The Department shall permit an existing child
3 welfare agency that converts from its current structure in
4 order to be recognized as a 501(c)(3) organization as required
5 by this Section to either retain its current license or
6 transfer its current license to a newly formed entity, if the
7 creation of a new entity is required in order to comply with
8 this Section, provided that the child welfare agency
9 demonstrates that it continues to meet all other licensing
10 requirements and that the principal officers and directors and
11 programs of the converted child welfare agency or newly
12 organized child welfare agency are substantially the same as
13 the original. The Department shall have the sole discretion to
14 grant a one year extension to any agency unable to obtain
15 501(c)(3) status within the timeframe specified in this
16 subsection (e), provided that such agency has filed an
17 application for 501(c)(3) status with the Internal Revenue
18 Service within the 2-year timeframe specified in this
19 subsection (e).

20 (Source: P.A. 89-21, eff. 7-1-95; 90-90, eff. 7-11-97; 90-608,
21 eff. 6-30-98.)

22 (225 ILCS 10/7) (from Ch. 23, par. 2217)

23 Sec. 7. (a) The Department must prescribe and publish
24 minimum standards for licensing that apply to the various types
25 of facilities for child care defined in this Act and that are
26 equally applicable to like institutions under the control of
27 the Department and to foster family homes used by and under the
28 direct supervision of the Department. The Department shall seek
29 the advice and assistance of persons representative of the
30 various types of child care facilities in establishing such
31 standards. The standards prescribed and published under this
32 Act take effect as provided in the Illinois Administrative
33 Procedure Act, and are restricted to regulations pertaining to
34 the following matters and to any rules and regulations required
35 or permitted by any other Section of this Act:

1 (1) The operation and conduct of the facility and
2 responsibility it assumes for child care;

3 (2) The character, suitability and qualifications of
4 the applicant and other persons directly responsible for
5 the care and welfare of children served. All child day care
6 center licensees and employees who are required to report
7 child abuse or neglect under the Abused and Neglected Child
8 Reporting Act shall be required to attend training on
9 recognizing child abuse and neglect, as prescribed by
10 Department rules;

11 (3) The general financial ability and competence of the
12 applicant to provide necessary care for children and to
13 maintain prescribed standards;

14 (4) The number of individuals or staff required to
15 insure adequate supervision and care of the children
16 received. The standards shall provide that each child care
17 institution, maternity center, day care center, group
18 home, day care home, and group day care home shall have on
19 its premises during its hours of operation at least one
20 staff member certified in first aid, in the Heimlich
21 maneuver and in cardiopulmonary resuscitation by the
22 American Red Cross or other organization approved by rule
23 of the Department. Child welfare agencies shall not be
24 subject to such a staffing requirement. The Department may
25 offer, or arrange for the offering, on a periodic basis in
26 each community in this State in cooperation with the
27 American Red Cross, the American Heart Association or other
28 appropriate organization, voluntary programs to train
29 operators of foster family homes and day care homes in
30 first aid and cardiopulmonary resuscitation;

31 (5) The appropriateness, safety, cleanliness and
32 general adequacy of the premises, including maintenance of
33 adequate fire prevention and health standards conforming
34 to State laws and municipal codes to provide for the
35 physical comfort, care and well-being of children
36 received;

1 (6) Provisions for food, clothing, educational
2 opportunities, program, equipment and individual supplies
3 to assure the healthy physical, mental and spiritual
4 development of children served;

5 (7) Provisions to safeguard the legal rights of
6 children served;

7 (8) Maintenance of records pertaining to the
8 admission, progress, health and discharge of children,
9 including, for day care centers and day care homes, records
10 indicating each child has been immunized as required by
11 State regulations. The Department shall require proof that
12 children enrolled in a facility have been immunized against
13 Haemophilus Influenzae B (HIB);

14 (9) Filing of reports with the Department;

15 (10) Discipline of children;

16 (11) Protection and fostering of the particular
17 religious faith of the children served;

18 (12) Provisions prohibiting firearms on day care
19 center premises except in the possession of peace officers;

20 (13) Provisions prohibiting handguns on day care home
21 premises except in the possession of peace officers or
22 other adults who must possess a handgun as a condition of
23 employment and who reside on the premises of a day care
24 home;

25 (14) Provisions requiring that any firearm permitted
26 on day care home premises, except handguns in the
27 possession of peace officers, shall be kept in a
28 disassembled state, without ammunition, in locked storage,
29 inaccessible to children and that ammunition permitted on
30 day care home premises shall be kept in locked storage
31 separate from that of disassembled firearms, inaccessible
32 to children;

33 (15) Provisions requiring notification of parents or
34 guardians enrolling children at a day care home of the
35 presence in the day care home of any firearms and
36 ammunition and of the arrangements for the separate, locked

1 storage of such firearms and ammunition.

2 (b) If, in a facility for general child care, there are
3 children diagnosed as mentally ill, mentally retarded or
4 physically handicapped, who are determined to be in need of
5 special mental treatment or of nursing care, or both mental
6 treatment and nursing care, the Department shall seek the
7 advice and recommendation of the Department of Human Services,
8 the Department of Public Health, or both Departments regarding
9 the residential treatment and nursing care provided by the
10 institution.

11 (c) The Department shall investigate any person applying to
12 be licensed as a foster parent to determine whether there is
13 any evidence of current drug or alcohol abuse in the
14 prospective foster family. The Department shall not license a
15 person as a foster parent if drug or alcohol abuse has been
16 identified in the foster family or if a reasonable suspicion of
17 such abuse exists, except that the Department may grant a
18 foster parent license to an applicant identified with an
19 alcohol or drug problem if the applicant has successfully
20 participated in an alcohol or drug treatment program, self-help
21 group, or other suitable activities.

22 (d) The Department, in applying standards prescribed and
23 published, as herein provided, shall offer consultation
24 through employed staff or other qualified persons to assist
25 applicants and licensees in meeting and maintaining minimum
26 requirements for a license and to help them otherwise to
27 achieve programs of excellence related to the care of children
28 served. Such consultation shall include providing information
29 concerning education and training in early childhood
30 development to providers of day care home services. The
31 Department may provide or arrange for such education and
32 training for those providers who request such assistance.

33 (e) The Department shall distribute copies of licensing
34 standards to all licensees and applicants for a license. Each
35 licensee or holder of a permit shall distribute copies of the
36 appropriate licensing standards and any other information

1 required by the Department to child care facilities under its
2 supervision. Each licensee or holder of a permit shall maintain
3 appropriate documentation of the distribution of the
4 standards. Such documentation shall be part of the records of
5 the facility and subject to inspection by authorized
6 representatives of the Department.

7 (f) The Department shall prepare summaries of day care
8 licensing standards. Each licensee or holder of a permit for a
9 day care facility shall distribute a copy of the appropriate
10 summary and any other information required by the Department,
11 to the legal guardian of each child cared for in that facility
12 at the time when the child is enrolled or initially placed in
13 the facility. The licensee or holder of a permit for a day care
14 facility shall secure appropriate documentation of the
15 distribution of the summary and brochure. Such documentation
16 shall be a part of the records of the facility and subject to
17 inspection by an authorized representative of the Department.

18 (g) The Department shall distribute to each licensee and
19 holder of a permit copies of the licensing or permit standards
20 applicable to such person's facility. Each licensee or holder
21 of a permit shall make available by posting at all times in a
22 common or otherwise accessible area a complete and current set
23 of licensing standards in order that all employees of the
24 facility may have unrestricted access to such standards. All
25 employees of the facility shall have reviewed the standards and
26 any subsequent changes. Each licensee or holder of a permit
27 shall maintain appropriate documentation of the current review
28 of licensing standards by all employees. Such records shall be
29 part of the records of the facility and subject to inspection
30 by authorized representatives of the Department.

31 (h) Any standards involving physical examinations,
32 immunization, or medical treatment shall include appropriate
33 exemptions for children whose parents object thereto on the
34 grounds that they conflict with the tenets and practices of a
35 recognized church or religious organization, of which the
36 parent is an adherent or member, and for children who should

1 not be subjected to immunization for clinical reasons.

2 (Source: P.A. 89-274, eff. 1-1-96; 89-507, eff. 7-1-97; 89-648,
3 eff. 8-9-96; 90-14, eff. 7-1-97.)

4 (225 ILCS 10/7.4 new)

5 Sec. 7.4. Disclosures.

6 (a) Every child welfare agency providing adoption services
7 and licensed by the Department shall provide to all prospective
8 clients and to the public written disclosures with respect to
9 its adoption services, policies, and practices, including
10 general eligibility criteria, fees, and the mutual rights and
11 responsibilities of clients, including biological parents and
12 adoptive parents. The written disclosure shall be posted on any
13 website maintained by the child welfare agency that relates to
14 adoption services. The Department shall adopt rules relating to
15 the contents of the written disclosures.

16 (b) Every licensed child welfare agency providing adoption
17 services shall provide to all applicants, prior to application,
18 a written schedule of estimated fees, expenses, and refund
19 policies. Every child welfare agency providing adoption
20 services shall have a written policy that shall be part of its
21 standard adoption contract and state that it will not charge
22 additional fees and expenses beyond those disclosed in the
23 adoption contract unless additional fees are reasonably
24 required by the circumstances and are disclosed to the adoptive
25 parents or parent before they are incurred. The Department
26 shall adopt rules relating to the contents of the written
27 schedule and policy.

28 (c) Every licensed child welfare agency providing adoption
29 services must make full and fair disclosure to its clients,
30 including biological parents and adoptive parents, of all
31 circumstances material to the placement of a child for
32 adoption. The Department shall adopt rules necessary for the
33 implementation and regulation of the requirements of this
34 subsection (c).

35 (d) Every licensed child welfare agency providing adoption

1 services shall meet minimum standards set forth by the
2 Department prior to taking or acknowledging a consent from a
3 prospective biological parent. The Department shall adopt
4 rules concerning the minimum standards required by agencies
5 under this Section.

6 (225 ILCS 10/7.5 new)

7 Sec. 7.5. Adoptive parent training program. Every licensed
8 child welfare agency providing adoption services shall provide
9 prospective adoptive parents with a training program that
10 includes counseling and guidance for the purpose of promoting a
11 successful adoption in conjunction with placing a child for
12 adoption with the prospective adoptive parents and which must
13 be completed to the satisfaction of the licensed child welfare
14 agency prior to the finalization of the adoption. The training
15 may be provided by an agent or independent contractor of the
16 child welfare agency or by a Department-approved training
17 individual or entity. The Department shall adopt rules
18 concerning minimum hours, content, and agency documentation of
19 the training and rules concerning the approval of individuals
20 or entities conducting training under this Section.

21 (225 ILCS 10/7.6 new)

22 Sec. 7.6. Annual report. Every licensed child welfare
23 agency providing adoption services shall file an annual report
24 with the Department and with the Attorney General on forms and
25 on a date prescribed by the Department. The annual report shall
26 be made available to the public by the Department and by the
27 agency. The annual report shall include all of the following
28 matters and all other matters required by the Department:

29 (1) A balance sheet and a statement of income and
30 expenses for the year, certified by an independent public
31 accountant;

32 (2) Non-identifying information concerning the
33 placements made by the agency during the year, consisting
34 of the number of adoptive families in the process of

1 obtaining a foster family license, the number of adoptive
2 families that are licensed and awaiting placement, the
3 number of biological parents that the agency is actively
4 working with, the number of placements, and the number of
5 adoptions initiated during the year and the status of each
6 matter at the end of the year;

7 (3) Any instance during the year in which the agency
8 lost the right to provide adoption services in any State or
9 country, had its license suspended for cause, or was the
10 subject of other sanctions by any court, governmental
11 agency, or governmental regulatory body relating to the
12 provision of adoption services;

13 (4) Any actions related to licensure that were
14 initiated against the agency during the year by a licensing
15 or accrediting body;

16 (5) Any pending investigations by federal or State
17 authorities;

18 (6) Any criminal charges, child abuse charges,
19 malpractice complaints, or lawsuits against the agency or
20 any of its employees, officers, or directors related to the
21 provision of adoption services and the basis or disposition
22 of the actions;

23 (7) Any instance in the year where the agency was found
24 guilty of, or pled guilty to, any criminal or civil or
25 administrative violation under federal, State, or foreign
26 law that relates to the provision of adoption services;

27 (8) Any instance in the year where any employee,
28 officer, or director of the agency was found guilty of any
29 crime or was determined to have violated a civil law or
30 administrative rule under federal, State, or foreign law
31 relating to the provision of adoption services; and

32 (9) Any civil or administrative proceeding instituted
33 by the agency during the year and relating to adoption
34 services, excluding uncontested adoption proceedings and
35 proceedings filed pursuant to Section 12a of the Adoption
36 Act.

1 Failure to disclose information required under this
2 Section may result in the suspension of the agency's license
3 for a period of 90 days. Subsequent violations may result in
4 revocation of the license.

5 Information disclosed in accordance with this Section
6 shall be subject to the applicable confidentiality
7 requirements of this Act and the Adoption Act.

8 (225 ILCS 10/7.7 new)

9 Sec. 7.7. Certain waivers prohibited. Licensed child
10 welfare agencies providing adoption services shall not require
11 biological or adoptive parents to sign any document that
12 purports to waive claims against an agency for intentional or
13 reckless acts or omissions or for gross negligence. Nothing in
14 this Section shall require an agency to assume risks that are
15 not within the reasonable control of the agency.

16 (225 ILCS 10/7.8 new)

17 Sec. 7.8. Preferential treatment in child placement
18 prohibited. No licensed child welfare agency providing
19 adoption services shall give preferential treatment to its
20 board members, contributors, volunteers, employees, agents,
21 consultants, or independent contractors or to their relatives
22 with respect to the placement of a child or any matters
23 relating to adoption services. The Department shall define
24 "preferential treatment" by rule and shall adopt any rules
25 necessary to implement this Section.

26 (225 ILCS 10/8) (from Ch. 23, par. 2218)

27 Sec. 8. The Department may revoke or refuse to renew the
28 license of any child care facility or child welfare agency or
29 refuse to issue full license to the holder of a permit should
30 the licensee or holder of a permit:

31 (1) fail to maintain standards prescribed and published by
32 the Department;

33 (2) violate any of the provisions of the license issued;

1 (3) furnish or make any misleading or any false statement
2 or report to the Department;

3 (4) refuse to submit to the Department any reports or
4 refuse to make available to the Department any records required
5 by the Department in making investigation of the facility for
6 licensing purposes;

7 (5) fail or refuse to submit to an investigation by the
8 Department;

9 (6) fail or refuse to admit authorized representatives of
10 the Department at any reasonable time for the purpose of
11 investigation;

12 (7) fail to provide, maintain, equip and keep in safe and
13 sanitary condition premises established or used for child care
14 as required under standards prescribed by the Department, or as
15 otherwise required by any law, regulation or ordinance
16 applicable to the location of such facility;

17 (8) refuse to display its license or permit;

18 (9) be the subject of an indicated report under Section 3
19 of the Abused and Neglected Child Reporting Act or fail to
20 discharge or sever affiliation with the child care facility of
21 an employee or volunteer at the facility with direct contact
22 with children who is the subject of an indicated report under
23 Section 3 of that Act;

24 (10) fail to comply with the provisions of Section 7.1;

25 (11) fail to exercise reasonable care in the hiring,
26 training and supervision of facility personnel;

27 (12) fail to report suspected abuse or neglect of children
28 within the facility, as required by the Abused and Neglected
29 Child Reporting Act;

30 (13) fail to comply with Section 5.1 or 5.2 of this Act; or

31 (14) be identified in an investigation by the Department as
32 an addict or alcoholic, as defined in the Alcoholism and Other
33 Drug Abuse and Dependency Act, or be a person whom the
34 Department knows has abused alcohol or drugs, and has not
35 successfully participated in treatment, self-help groups or
36 other suitable activities, and the Department determines that

1 because of such abuse the licensee, holder of the permit, or
2 any other person directly responsible for the care and welfare
3 of the children served, does not comply with standards relating
4 to character, suitability or other qualifications established
5 under Section 7 of this Act.

6 (Source: P.A. 91-357, eff. 7-29-99; 91-413, eff. 1-1-00.)

7 (225 ILCS 10/8.3 new)

8 Sec. 8.3. Tax exempt agency. The Department shall revoke
9 or refuse to renew the license of any child welfare agency
10 providing adoption services that is not (i) officially
11 recognized by the United States Internal Revenue Service as a
12 tax-exempt organization described in Section 501(c)(3) of the
13 Internal Revenue Code of 1986 (or any successor provision of
14 federal tax law) and (ii) in compliance with all of the
15 standards necessary to maintain its status as an organization
16 described in Section 501(c)(3) of the Internal Revenue Code of
17 1986 (or any successor provision of federal tax law). The
18 Department shall grant a grace period of 24 months from the
19 effective date of this amendatory Act of the 94th General
20 Assembly for existing child welfare agencies providing
21 adoption services to obtain 501(c)(3) status. The Department
22 shall permit an existing child welfare agency that converts
23 from its current structure in order to be recognized as a
24 501(c)(3) organization as required by this Section to either
25 retain its current license or transfer its current license to a
26 newly formed entity, if the creation of a new entity is
27 required in order to comply with this Section, provided that
28 the child welfare agency demonstrates that it continues to meet
29 all other licensing requirements and that the principal
30 officers and directors and programs of the converted child
31 welfare agency or newly organized child welfare agency are
32 substantially the same as the original. The Department shall
33 have the sole discretion to grant a one year extension to any
34 agency unable to obtain 501(c)(3) status within the timeframe
35 specified in this Section, provided that such agency has filed

1 an application for 501(c)(3) status with the Internal Revenue
2 Service within the 2-year timeframe specified in this Section.

3 (225 ILCS 10/8.4 new)

4 Sec. 8.4. Cessation or dissolution of an agency. In the
5 event that a licensed child welfare agency ceases to exist or
6 dissolves its corporate entity as an agency, and in so doing
7 ceases to provide adoption services as defined in this Act, all
8 records pertaining to adoption services, as that term is
9 defined in Section 2.24 of this Act, shall be forwarded to
10 another licensed child welfare agency with notice to the
11 Department or to the Department within 30 days after such
12 cessation or dissolution. This Section shall be interpreted in
13 a manner consistent with rules adopted by the Department
14 governing child welfare agencies.

15 (225 ILCS 10/9.1a new)

16 Sec. 9.1a. Complaint registry.

17 (a) The Department shall establish a complaint registry to
18 assist in the monitoring of licensed child welfare agencies
19 providing adoption services, which shall record and track the
20 resolution and disposition of substantiated licensing
21 violations.

22 (b) The Department shall establish and maintain a statewide
23 toll-free telephone number and post information on its website
24 where the public can access information contained in the
25 complaint registry, as it pertains to the past history and
26 record of any licensed child welfare agency providing adoption
27 services. This information shall include, but shall not be
28 limited to, Department substantiated licensing complaints
29 against a child welfare agency providing adoption services and
30 Department findings of any license violations against a child
31 welfare agency providing adoption services.

32 (c) Information disclosed in accordance with this Section
33 shall be subject to the applicable confidentiality
34 requirements of this Act and the Adoption Act.

1 (225 ILCS 10/9.1b new)

2 Sec. 9.1b. Complaint procedures. All child welfare
3 agencies providing adoption services shall be required by the
4 Department to have complaint policies and procedures that shall
5 be provided in writing to their prospective clients, including
6 biological parents, adoptive parents, and adoptees that they
7 have served, at the earliest time possible, and, in the case of
8 biological and adoptive parents, prior to placement or prior to
9 entering into any written contract with the clients. These
10 complaint procedures must be filed with the Department within 6
11 months after the effective date of this amendatory Act of the
12 94th General Assembly. Failure to comply with this Section may
13 result in the suspension of licensure for a period of 90 days.
14 Subsequent violations may result in licensure revocation. The
15 Department shall adopt rules that describe the complaint
16 procedures required by each agency. These rules shall include
17 without limitation prompt complaint response time, recording
18 of the complaints, prohibition of agency retaliation against
19 the person making the complaint, and agency reporting of all
20 complaints to the Department in a timely manner. Any agency
21 that maintains a website shall post the prescribed complaint
22 procedures and its license number, as well as the statewide
23 toll-free complaint registry telephone number, on its website.

24 (225 ILCS 10/11) (from Ch. 23, par. 2221)

25 Sec. 11. Whenever the Department is advised, or has reason
26 to believe, that any person, group of persons or corporation is
27 operating a child welfare agency or a child care facility
28 without a license or permit, it shall make an investigation to
29 ascertain the facts. If the Department is denied access, it
30 shall request intervention of local, county or State law
31 enforcement agencies to seek an appropriate court order or
32 warrant to examine the premises. A person or entity preventing
33 the Department from carrying out its duties under this Section
34 shall be guilty of a violation of this Act and shall be subject

1 to such penalties related thereto. If it finds that the child
2 welfare agency or child care facility is being, or has been
3 operated without a license or permit, it shall report the
4 results of its investigation to the Attorney General, and to
5 the appropriate State's Attorney for investigation and, if
6 appropriate, prosecution.

7 Operating a child welfare agency or child care facility
8 without a license constitutes a Class A misdemeanor, followed
9 by a business offense, if the operator continues to operate the
10 facility and no effort is made to obtain a license. The
11 business offense fine shall not exceed \$10,000 and each day of
12 a violation is a separate offense.

13 (Source: P.A. 85-215.)

14 (225 ILCS 10/11.1) (from Ch. 23, par. 2221.1)

15 Sec. 11.1. If the Department has reasonable cause to
16 believe ~~Upon request of the Director, the Attorney General or~~
17 ~~the State's Attorney of the county in which the violation~~
18 ~~occurred, shall initiate injunction proceedings whenever it~~
19 ~~appears~~ that any person, group of persons, ~~or~~ corporation,
20 agency, association, organization, institution, center, or
21 group is engaged or about to engage in any acts or practices
22 that ~~which~~ constitute or will constitute a violation of this
23 Act or any rule or regulation prescribed under authority
24 thereof, the Department shall inform the Attorney General or
25 the State's Attorney of the appropriate county, who may
26 initiate the appropriate civil or criminal proceedings. Upon a
27 proper showing, any circuit court may enter a permanent or
28 preliminary injunction or temporary restraining order without
29 bond to enforce this Act or any rule or regulation prescribed
30 thereunder in addition to the penalties and other remedies
31 provided in this Act.

32 (Source: P.A. 84-548.)

33 (225 ILCS 10/12) (from Ch. 23, par. 2222)

34 Sec. 12. Advertisements.

1 (a) In this Section, "advertise" means communication by any
2 public medium originating or distributed in this State,
3 including, but not limited to, newspapers, periodicals,
4 telephone book listings, outdoor advertising signs, radio, or
5 television.

6 (b) A child care facility or child welfare agency licensed
7 or operating under a permit issued by the Department may
8 publish advertisements for the services that the facility is
9 specifically licensed or issued a permit under this Act to
10 provide. No person, group of persons, agency, association,
11 organization, corporation, institution, center, or group,
12 unless licensed or operating under a permit issued by the
13 Department as a child care facility or child welfare agency,
14 may advertise or cause to be published any advertisement
15 offering, soliciting, or promising to perform adoption
16 services as defined in Section 2.24 of this Act.

17 (c) Every advertisement published after the effective date
18 of this amendatory Act of the 94th General Assembly shall
19 include the Department-issued license number of the facility or
20 agency.

21 (d) Any licensed child welfare agency providing adoption
22 services that, after the effective date of this amendatory Act
23 of the 94th General Assembly, causes to be published an
24 advertisement containing reckless or intentional
25 misrepresentations concerning adoption services or
26 circumstances material to the placement of a child for adoption
27 is guilty of a Class A misdemeanor and shall be subject to a
28 fine not to exceed \$10,000 or 9 months imprisonment for each
29 advertisement.

30 (e) This Section does not apply to a biological parent or a
31 prospective adoptive parent acting on his or her own behalf.

32 (f) This Section does not apply to a licensed attorney
33 advertising his or her availability to provide legal services
34 relating to adoption, as permitted by law.

35 (g) An out-of-state agency that has a written interagency
36 agreement with one or more Illinois licensed child welfare

1 agencies, may advertise under this Section provided that (i)
2 the out-of-state agency must be officially recognized by the
3 United States Internal Revenue Service as a tax-exempt
4 organization under 501(c)(3) of the Internal Revenue Code of
5 1986 (or any successor provision of federal tax law), (ii) the
6 out-of-state agency only provides international adoption
7 services and is covered by the Intercountry Adoption Act of
8 2000, (iii) the out-of-state agency displays, in the
9 advertisement, the license number of at least one of the
10 Illinois licensed child welfare agencies with which it has a
11 written agreement, and (iv) the advertisements pertain only to
12 international adoption services. Subsection (d) of this
13 Section applies to advertisements placed by any international
14 out-of-state adoption agencies. ~~A child care facility licensed~~
15 ~~or operating under a permit issued by the Department may~~
16 ~~publish advertisements of the services for which it is~~
17 ~~specifically licensed or issued a permit under this Act. No~~
18 ~~person, unless licensed or holding a permit as a child care~~
19 ~~facility, may cause to be published any advertisement~~
20 ~~soliciting a child or children for care or placement or~~
21 ~~offering a child or children for care or placement.~~

22 (Source: P.A. 76-63.)

23 (225 ILCS 10/14.6 new)

24 Sec. 14.6. Agency payment of salaries or other
25 compensation.

26 (a) A licensed child welfare agency may pay salaries or
27 other compensation to its officers, employees, agents,
28 contractors, or any other persons acting on its behalf for
29 providing adoption services, provided that all of the following
30 limitations apply:

31 (1) The fees, wages, salaries, or other compensation of
32 any description paid to the officers, employees,
33 contractors, or any other person acting on behalf of a
34 child welfare agency providing adoption services shall not
35 be unreasonably high in relation to the services actually

1 rendered. Every form of compensation shall be taken into
2 account in determining whether fees, wages, salaries, or
3 compensation are unreasonably high, including, but not
4 limited to, salary, bonuses, deferred and non-cash
5 compensation, retirement funds, medical and liability
6 insurance, loans, and other benefits such as the use,
7 purchase, or lease of vehicles, expense accounts, and food,
8 housing, and clothing allowances.

9 (2) Any earnings, if applicable, or compensation paid
10 to the child welfare agency's directors, stockholders, or
11 members of its governing body shall not be unreasonably
12 high in relation to the services rendered.

13 (3) Persons providing adoption services for a child
14 welfare agency may be compensated only for services
15 actually rendered and only on a fee-for-service, hourly
16 wage, or salary basis.

17 (b) The Department may adopt rules setting forth the
18 criteria to determine what constitutes unreasonably high fees
19 and compensation as those terms are used in this Section. In
20 determining the reasonableness of fees, wages, salaries, and
21 compensation under paragraphs (1) and (2) of subsection (a) of
22 this Section, the Department shall take into account the
23 location, number, and qualifications of staff, workload
24 requirements, budget, and size of the agency or person, and
25 available norms for compensation within the adoption
26 community. Every licensed child welfare agency providing
27 adoption services shall provide the Department and the Attorney
28 General with a report, on an annual basis, providing a
29 description of the fees, wages, salaries and other compensation
30 described in paragraphs (1), (2), and (3) of this Section.
31 Nothing in the Adoption Compensation Prohibition Act shall be
32 construed to prevent a child welfare agency from charging fees
33 or the payment of salaries and compensation as limited in this
34 Section and any applicable Section of this Act or the Adoption
35 Act.

36 (c) This Section does not apply to international adoption

1 services performed by those child welfare agencies governed by
2 the 1993 Hague Convention on Protection of Children and
3 Cooperation in Respect of Intercountry Adoption and the
4 Intercountry Adoption Act of 2000.

5 (225 ILCS 10/14.7 new)

6 Sec. 14.7. Payments to biological parents.

7 (a) Payment of reasonable living expenses by a child
8 welfare agency shall not obligate the biological parents to
9 place the child for adoption. In the event that the biological
10 parents choose not to place the child for adoption, the child
11 welfare agency shall have no right to seek reimbursement from
12 the biological parents, or from any relative of the biological
13 parents, of moneys paid to, or on behalf of, the biological
14 parents, except as provided in subsection (b) of this Section.

15 (b) Notwithstanding subsection (a) of this Section, a child
16 welfare agency may seek reimbursement of reasonable living
17 expenses from a person who receives such payments only if the
18 person who accepts payment of reasonable living expenses before
19 the child's birth, as described in subsection (a) of this
20 Section, knows that the person on whose behalf they are
21 accepting payment is not pregnant at the time of the receipt of
22 such payments or the person receives reimbursement for
23 reasonable living expenses simultaneously from more than one
24 child welfare agency without the agencies' knowledge.

25 Section 10. The Adoption Compensation Prohibition Act is
26 amended by changing Sections 1, 2, 3, 4, and 4.1 and by adding
27 Section 4.9 as follows:

28 (720 ILCS 525/1) (from Ch. 40, par. 1701)

29 Sec. 1. No person and no agency, association, corporation,
30 institution, society, or other organization, except a child
31 welfare agency as defined by the Child Care Act of 1969, as now
32 or hereafter amended, shall request, receive or accept any
33 compensation or thing of value, directly or indirectly, for

1 providing adoption services, as defined in Section 2.24 of the
2 Child Care Act of 1969 ~~placing out of a child.~~

3 (Source: P.A. 86-820.)

4 (720 ILCS 525/2) (from Ch. 40, par. 1702)

5 Sec. 2. No person shall pay or give any compensation or
6 thing of value, directly or indirectly, for providing adoption
7 services, as defined in Section 2.24 of the Child Care Act of
8 1969, including placing out of a child to any person or to any
9 agency, association, corporation, institution, society, or
10 other organization except a child welfare agency as defined by
11 the Child Care Act of 1969, as now or hereafter amended.

12 (Source: P.A. 86-820.)

13 (720 ILCS 525/3) (from Ch. 40, par. 1703)

14 Sec. 3. Definitions. As used in this Act: ~~the term~~

15 "Placing ~~placing~~ out" means to arrange for the free care or
16 placement of a child in a family other than that of the child's
17 parent, stepparent, grandparent, brother, sister, uncle or
18 aunt or legal guardian, for the purpose of adoption or for the
19 purpose of providing care.

20 "Adoption services" has the meaning given that term in the
21 Child Care Act of 1969.

22 (Source: Laws 1955, p. 1881.)

23 (720 ILCS 525/4) (from Ch. 40, par. 1704)

24 Sec. 4. The provisions of this Act shall not be construed
25 to prevent the payment of salaries or other compensation by a
26 licensed child welfare agency providing adoption services, as
27 that term is defined by the Child Care Act of 1969, as now or
28 hereafter amended, to the officers, ~~or~~ employees, agents,
29 contractors, or any other persons acting on behalf of the child
30 welfare agency, provided that such salaries and compensation
31 are consistent with subsection (a) of Section 14.5 of the Child
32 Care Act of 1969.

33 The provisions of this Act shall not ~~thereof, nor shall it~~

1 be construed to prevent the payment by a person with whom a
2 child has been placed for adoption ~~out~~ of reasonable and actual
3 medical fees or hospital charges for services rendered in
4 connection with the birth of such child, if such payment is
5 made to the physician or hospital who or which rendered the
6 services or to the biological ~~natural~~ mother of the child or to
7 prevent the receipt of such payment by such physician,
8 hospital, or mother.

9 (Source: P.A. 86-820.)

10 (720 ILCS 525/4.1) (from Ch. 40, par. 1704.1)

11 (Text of Section after amendment by P.A. 93-1063)

12 Sec. 4.1. Payment of certain expenses.

13 (a) A person or persons who have filed or intend to file a
14 petition to adopt a child under the Adoption Act shall be
15 permitted to pay the reasonable living expenses of the
16 biological parents of the child sought to be adopted, in
17 addition to those expenses set forth in Section 4, only in
18 accordance with the provisions of this Section.

19 "Reasonable living expenses" means those expenses related
20 to activities of daily living and meeting basic needs,
21 including, but not limited to, ~~the reasonable costs of~~ lodging,
22 food, and clothing for the biological parents during ~~the period~~
23 ~~of~~ the biological mother's pregnancy and for no more than 120
24 days prior to the biological mother's expected date of delivery
25 and for no more than 60 ~~30~~ days after the birth of the child.
26 The term does not include expenses for lost wages, gifts,
27 educational expenses, or other similar expenses of the
28 biological parents.

29 (b) The petitioners may seek leave of the court to pay the
30 reasonable living expenses of the biological parents. They
31 shall be permitted to pay the reasonable living expenses of the
32 biological parents only upon prior order of the circuit court
33 where the petition for adoption will be filed, or if the
34 petition for adoption has been filed in the circuit court where
35 the petition is pending.

1 (c) Payments under this Section shall be permitted only in
2 those circumstances where there is a demonstrated need for the
3 payment of such expenses to protect the health of the
4 biological parents or the health of the child sought to be
5 adopted.

6 (d) Payment of their reasonable living expenses, as
7 provided in this Section, shall not obligate the biological
8 parents to place the child for adoption. In the event the
9 biological parents choose not to place the child for adoption,
10 the petitioners shall have no right to seek reimbursement from
11 the biological parents, or from any relative or associate of
12 the biological parents, of moneys paid to, or on behalf of, the
13 biological parents pursuant to a court order under this
14 Section.

15 (d-5) No person or entity shall offer, provide, or co-sign
16 a loan or any other credit accommodation, directly or
17 indirectly, with a biological parent or a relative or associate
18 of a biological parent based on the contingency of a surrender
19 or placement of a child for adoption.

20 (e) Within 14 days after the completion of all payments for
21 reasonable living expenses of the biological parents under this
22 Section, the petitioners shall present a final accounting of
23 all those expenses to the court. The accounting shall include
24 vouchers for all moneys expended, copies of all checks written,
25 and receipts for all cash payments. The accounting shall also
26 include the verified statements of the petitioners, each
27 attorney of record, and the biological parents or parents to
28 whom or on whose behalf the payments were made attesting to the
29 accuracy of the accounting.

30 (f) If the placement of a child for adoption is made in
31 accordance with the Interstate Compact on the Placement of
32 Children, and if the sending state permits the payment of any
33 expenses of biological parents that are not permitted under
34 this Act, then the payment of those expenses shall not be a
35 violation of this Act. In that event, the petitioners shall
36 file an accounting of all payments of the expenses of the

1 biological parent or parents with the court in which the
2 petition for adoption is filed or is to be filed. The
3 accounting shall include a copy of the statutory provisions of
4 the sending state that permit payments in addition to those
5 permitted by this Act and a copy of all orders entered in the
6 sending state that relate to expenses of the biological parents
7 paid by the petitioners in the sending state.

8 (g) The petitioners shall be permitted to pay the
9 reasonable attorney's fees of the biological parents' attorney
10 in connection with proceedings under this Act or in connection
11 with proceedings for the adoption of the child. The attorney's
12 fees shall be paid only after a petition seeking leave to pay
13 those fees is filed with the court in which the adoption
14 proceeding is filed or to be filed. The court shall review the
15 petition for leave to pay attorney's fees, and if the court
16 determines that the fees requested are reasonable, the court
17 shall permit the petitioners to pay them. If the court
18 determines that the fees requested are not reasonable, the
19 court shall determine and set the reasonable attorney's fees of
20 the biological parents' attorney which may be paid by the
21 petitioners.

22 (h) The court may appoint a guardian ad litem for an unborn
23 child to represent the interests of the child in proceedings
24 under this Section.

25 (i) The provisions of this Section apply to a person who
26 has filed or intends to file a petition to adopt a child under
27 the Adoption Act. This Section does not apply to a licensed
28 child welfare agency, as that term is defined in the Child Care
29 Act of 1969, whose payments are governed by the Child Care Act
30 of 1969 and the Department rules adopted thereunder.

31 (Source: P.A. 93-1063, eff. 6-1-05.)

32 (720 ILCS 525/4.9 new)

33 Sec. 4.9. Injunctive relief. Whenever it appears that any
34 person, agency, association, corporation, institution,
35 society, or other organization is engaged or about to engage in

1 any acts or practices that constitute or will constitute a
2 violation of this Act or any rule adopted under the authority
3 of this Act, the Department shall inform the Attorney General
4 and the State's Attorney of the appropriate county. Under such
5 circumstances, the Attorney General or the State's Attorney may
6 initiate injunction proceedings. Upon a proper showing, any
7 circuit court may enter a permanent or preliminary injunction
8 or temporary restraining order without bond to enforce this Act
9 or any rule adopted under this Act in addition to any other
10 penalties and other remedies provided in this Act.

11 Section 15. The Adoption Act is amended by changing
12 Sections 4.1 and 21 as follows:

13 (750 ILCS 50/4.1) (from Ch. 40, par. 1506)

14 Sec. 4.1. Except for children placed with relatives by the
15 Department of Children and Family Services pursuant to
16 subsection (b) of Section 7 of the Children and Family Services
17 Act, placements under this Act shall comply with the Child Care
18 Act of 1969 and the Interstate Compact on the Placement of
19 Children. Placements of children born outside the United States
20 or a territory thereof shall comply with rules promulgated by
21 the United States Department of Immigration and
22 Naturalization.

23 Rules promulgated by the Department of Children and Family
24 Services shall include but not be limited to the following:

25 (a) Any agency providing adoption services as defined in
26 Section 2.24 of the Child Care Act of 1969 ~~which places such~~
27 ~~children for adoption~~ in this State:

28 (i) Shall be licensed in this State as a child welfare
29 agency as defined in Section 2.08 of the Child Care Act of
30 1969; or

31 (ii) Shall be licensed as a child placement agency in a
32 state which is a party to the Interstate Compact on the
33 Placement of Children; or

34 (iii) Shall be licensed as a child placement agency in

1 a country other than the United States or, if located in
2 such a country but not so licensed, shall provide
3 information such as a license or court document which
4 authorizes that agency to place children for adoption and
5 to establish that such agency has legal authority to place
6 children for adoption; or

7 (iv) Shall be a child placement agency which is so
8 licensed in a non-compact state, if such agency first files
9 with the Department of Children and Family Services a bond
10 with surety in the amount of \$5,000 for each such child to
11 ensure that such child shall not become a public charge
12 upon this State. Such bond shall remain in effect until a
13 judgment for adoption is entered with respect to such child
14 pursuant to this Act. The Department of Children and Family
15 Services may accept, in lieu of such bond, a written
16 agreement with such agency which provides that such agency
17 shall be liable for all costs associated with the placement
18 of such child in the event a judgment ~~judgement~~ of adoption
19 is not entered, upon such terms and conditions as the
20 Department deems appropriate.

21 The rules shall also provide that any agency that places
22 children for adoption in this State may not, in any policy or
23 practice relating to the placement of children for adoption,
24 discriminate against any child or prospective adoptive parent
25 on the basis of race.

26 (b) As an alternative to requiring the bond provided for in
27 paragraph (a)(iv) of this Section, the Department of Children
28 and Family Services may require the filing of such a bond by
29 the individual or individuals seeking to adopt such a child
30 through placement of such child by a child placement agency
31 located in a state which is not a party to the Interstate
32 Compact on the Placement of Children.

33 (c) In the case of any foreign-born child brought to the
34 United States for adoption in this State, the following
35 preadoption requirements shall be met:

36 (1) Documentation that the child is legally free for

1 adoption prior to entry into the United States shall be
2 submitted.

3 (2) A medical report on the child, by authorized
4 medical personnel in the country of the child's origin,
5 shall be provided when such personnel are available.

6 (3) Verification that the adoptive family has been
7 licensed as a foster family home pursuant to the Child Care
8 Act of 1969, as now or hereafter amended, shall be
9 provided.

10 (4) A valid home study conducted by a licensed child
11 welfare agency that complies with guidelines established
12 by the United States Immigration and Naturalization
13 Service at 8 CFR 204.4(d)(2)(i), as now or hereafter
14 amended, shall be submitted. A home study is considered
15 valid if it contains:

16 (i) A factual evaluation of the financial,
17 physical, mental and moral capabilities of the
18 prospective parent or parents to rear and educate the
19 child properly.

20 (ii) A detailed description of the living
21 accommodations where the prospective parent or parents
22 currently reside.

23 (iii) A detailed description of the living
24 accommodations in the United States where the child
25 will reside, if known.

26 (iv) A statement or attachment recommending the
27 proposed adoption signed by an official of the child
28 welfare agency which has conducted the home study.

29 (5) The placing agency located in a non-compact state
30 or a family desiring to adopt through an authorized
31 placement party in a non-compact state or a foreign country
32 shall file with the Department of Children and Family
33 Services a bond with surety in the amount of \$5,000 as
34 protection that a foreign-born child accepted for care or
35 supervision not become a public charge upon the State of
36 Illinois.

1 (6) In lieu of the \$5,000 bond, the placement agency
2 may sign a binding agreement with the Department of
3 Children and Family Services to assume full liability for
4 all placements should, for any reason, the adoption be
5 disrupted or not be completed, including financial and
6 planning responsibility until the child is either returned
7 to the country of its origin or placed with a new adoptive
8 family in the United States and that adoption is finalized.

9 (7) Compliance with the requirements of the Interstate
10 Compact on the Placement of Children, when applicable,
11 shall be demonstrated.

12 (8) When a child is adopted in a foreign country and a
13 final, complete and valid Order of Adoption is issued in
14 that country, as determined by both the United States
15 Department of State and the United States Department of
16 Justice, this State shall not impose any additional
17 preadoption requirements. The adoptive family, however,
18 must comply with applicable requirements of the United
19 States Department of Immigration and Naturalization as
20 provided in 8 CFR 204.4 (d)(2)(ii), as now or hereafter
21 amended.

22 (d) The Department of Children and Family Services shall
23 maintain the office of Intercountry Adoption Coordinator,
24 shall maintain and protect the rights of families and children
25 participating in adoption of foreign born children, and shall
26 develop ongoing programs of support and services to such
27 families and children. The Intercountry Adoption Coordinator
28 shall determine that all preadoption requirements have been met
29 and report such information to the Department of Immigration
30 and Naturalization.

31 (Source: P.A. 89-21, eff. 7-1-95; 89-422; 89-626, eff. 8-9-96.)

32 (750 ILCS 50/21) (from Ch. 40, par. 1526)

33 Sec. 21. Compensation for placing of children prohibited.

34 No person, agency, association, corporation, institution,
35 society or other organization, except a child welfare agency as

1 defined by the "Child Care Act", approved July 10, 1957, as now
2 or hereafter amended, shall receive or accept, or pay or give
3 any compensation or thing of value, directly or indirectly, for
4 providing adoption services, as that term is defined in the
5 Child Care Act of 1969, including placing out of a child as is
6 more specifically provided in "An Act to prevent the payment or
7 receipt of compensation for placing out children for adoption
8 or for the purpose of providing care", approved July 14, 1955,
9 as now or hereafter amended.

10 (Source: Laws, 1959, p. 1269.)

11 Section 95. No acceleration or delay. Where this Act makes
12 changes in a statute that is represented in this Act by text
13 that is not yet or no longer in effect (for example, a Section
14 represented by multiple versions), the use of that text does
15 not accelerate or delay the taking effect of (i) the changes
16 made by this Act or (ii) provisions derived from any other
17 Public Act.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.